



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

999 18TH STREET - SUITE 300 DENVER, CO 80202-2466 Phone 800-227-8917 http://www.epa.gov/region08

February 6, 2007

BY FACSIMILE

Samuel L. Blatnick, Esq. Kirkland & Ellis LLP 200 East Randolph Drive Chicago, Illinois 60601

Re: Second Subpoena For Production of

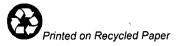
Documents - Max Dodson Case Number: 01-01139(JKF)

Dear Mr. Blatnick:

As I described in the two telephone messages I left you yesterday, EPA has accumulated all of the information requested in the Subpoena. The messages I left you concerned information about the Parker property. Since I have not heard from you, EPA awaits further information before proceeding on that property. CDM has sent you under separate cover (by overnight mail) the information that is described below. If a property is not specifically listed below, it means that there was no new information to update the prior Subpoena.

The information collected since the last request for information in September 2006 is discernable by the date within each of these files. The documentation is organized by property owner last name and address, and is inventoried on the attached table (Table 1). The updates are summarized as follows:

- The property at 188 Highwood Dr has undergone additional investigation.
- The property at 3696 W. 2nd St Ext has undergone additional investigation.
- The property at 94 Rainbow Ln has undergone additional investigation.
- The property at 1021 Main Ave has undergone additional investigation.
- The property at 208 W. Spruce St has undergone additional investigation.
- The property at 392 Garrison Rd was previously indicated as not been visited; however, some investigation has been performed at this property. This 2/5/07 update provides all currently available information for 392 Garrison Rd.
- The property at 420 Indian Head Rd has additional investigation following remediation activities.
- The property at 203 E. Spruce St has undergone remediation activities. Note that information for 206 E. Spruce St (another property owned by Mr. George Bauer) was



- inadvertently provided in the 9/14/06 request. This 2/5/07 update provides all available information for 203 E. Spruce St.
- The property at 902 E. Lincoln Blvd has undergone remediation activities.
- The property at 416 W. 4th St has undergone remediation activities.
- The property at 609 E. 9th St has undergone remediation activities.

For each electronic property folder on the CD, documentation is organized as follows:

- Investigation includes, as applicable, access agreements for investigation work, investigation field forms, log notes, and field sample data sheets.
- Sample Results includes, as applicable, asbestos analytical results available as of February 3, 2007 in the Libby2 project database. Libby Amphibole (LA) asbestos bins, as seen in the soil results worksheet header, correspond to the following LA asbestos levels as measured by various polarized light microscopy (PLM) methods:
 - Bin A non-detect
 - Bin B1 trace (less than 0.2%)
 - Bin B2 between 0.2 and 1%
 - Bin B less than 1% (this bin associated with PLM-9002 and PLM-Grav only)
 - Bin C 1% or greater
- Community Involvement includes, as applicable, Superfund temporary relocation assistance forms and records of communication with property owners.
- Remediation includes, as applicable, access agreements for remediation work, property-specific work plans, field log notes and sample data sheets for confirmation sampling, property closeout checklists, HEPA vacuum receipt forms, completion forms, and correspondence with property owners.
- Post remediation includes, as applicable, interview forms, field log notes, and field sample data sheets.

With the exception of resolving your needs concerning the Parker property, the information you receive from CDM tomorrow morning should satisfy the Second Subpoena. If you have any questions, please call me at (303) 312-6853.

Sincerely,

Matthew Cohn

Legal Enforcement Program

Mattlohn

Enclosure

cc: Paul Peronard



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

1595 Wynkoop Street DENVER, CO 80202-1129 Phone 800-227-8917 http://www.epa.gov/region08

FACSMILE COVER SHEET

	To: Samuel Blatnick
	Agency/Company: Kirkland + Ellis
	City:
Fax Number:	312/86 /2200 Phone Number://
	Number of Pages (including Cover Sheet):
	From: Matt Colin
	Sender's Mail Code:
	Sender's Phone: 303/312 / 6853
	Comments in Brief:
	Date Sent: Time Sent: Hard Copy to Follow:
	Sender: Hard Copy WILL NOT Follow:

CONFIDENTIALITY NOTICE: The document accompanying this fax may contain confidential information which is legally privileged. The information is intended only for the use of the intended recipient. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of the telecopied information except in direct delivery to the intended recipient named above is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone to arrange for the return of the original document to us.



hp LaserJet 4345mfp series



Fax Call Report

1

U.S. EPA R8 (6251mr) 303-312-7519 2007-Feb-06 10:14 AM

Job	Date/Time	Туре	Identification	Duration	Pages	<u>Resu</u> lt
85	2007-Feb-06 10:13 AM	Send	913128612200	1:03	4	Success